

REMARKS/ARGUMENTS

Claims 14-24 and 28-31 are pending. By this Amendment, claim 14 has been amended, claims 28-31 have been added, and claims 25-27 have been canceled. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 14, 15, 18 and 19 were rejected under 35 U.S.C. §102(b) over Born. This rejection is respectfully traversed.

As disclosed in the present application, one objective is to address problems arising from dual occupancy. In other words situations in which more than one person may wish to use the stairlift at the same time. In such a situation, one intending user, in a position remote from the stairlift carriage, may place a call to the stairlift using one or more of the remote landing switches (indicated by 22 and 24 in Figure 1 of the application). If, at the same time, another intending user is about to mount or dismount the stairlift chair, injury could arise as the stairlift carriage moves under the command of the remote call switch (22 and 24 in Figure 1). This is a particular problem with curved or angled stairlifts where the remote caller may be out of site of the stairlift carriage.

Claim 14 is directed to a method of enhancing safety of the stairlift installation which includes a carriage movable along a rail and carriage operating controls remote from the carriage. The method comprises providing a proximity sensor to disable the carriage operating controls when a person is proximate the carriage.

Claim 18 is directed to a stairlift assembly which includes a carriage movable along a rail and carriage operating controls remote from the carriage, as well as a proximity sensor to sense the proximity of the person to the carriage and to render the carriage operation controls inoperative in response to sensing the proximity of the person.

Born does not teach or suggest this subject matter. The load support platform 19 of Born is the only item equivalent to the “carriage” in claims 14 and 18. The load support platform only moves under a control of control box 108 which is mounted on and moves with the load support platform. Thus, Born does not teach or suggest carriage operating controls remote from the carriage, as recited in claims 14 and 18.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 25-27 were rejected under 35 U.S.C. §102(e) over Muranaka. This rejection is rendered moot by the cancellation of claims 25-27.

Claims 14-16 and 18-22 were rejected under 35 U.S.C. §103(a) over Muranaka in view of Born. This rejection is respectfully traversed as Born and Muranaka are directed to a mutually exclusive structures in operation which do not lend themselves to combination in the manner suggested in the Office Action. Neither Muranaka nor Born, either individually or in combination, addresses the problem addressed by the present inventors as set forth above. Muranaka illustrates the use of landing-base switches 6 but these are described as “emergency stop switches” and not calling switches which enable the stairlift carriage to be called from a remote position. Further, whilst the center mats of Born act in response to a person approaching the stairlift, they serve to stop the load bearing platform when in motion. Such a feature is important for the arrangement described in Born as it occupies the full width of the staircase and there is thus a need to ensure that, if a mobile person strays onto the staircase while the lift is operating, the lift will be brought to a halt. As stated above, Born is not concerned with preventing the static load bearing platform from responding to a remote call since no means are provided to make a remote call. Moreover, Muranaka and Born describe lifts which move only

TITCHENER et al.
Appl. No. 10/566,310
March 3, 2008

in a straight line, in which case the opposite ends of the rail are within sight of one another and the particular problems addressed by the present invention are less likely to arise.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 17 and 23 were rejected under 35 U.S.C. §103(a) over Muranaka in view of Born, and further in view of Tremblay et al. In addition, claim 24 was rejected under 35 U.S.C. §103(a) over Born. These rejections are respectfully traversed as claims 17, 23 and 24 depend from claims 14 or 18 and are patentable by virtue of that dependency, in addition to the further features they recite.

Reconsideration and withdrawal of the rejections are respectfully requested.

In view of the above amendments and remarks, Applicants respectfully submit that all the claims are patentable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Paul T. Bowen
Reg. No. 38,009

PTB:jck
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100